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OCT 31 2005

October 28, 2005

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P.M.

10:00 A.M.

VIA FACSIMILE ONLY: (718) 797-7386Magistrate Judge Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East, Room 208
Brooklyn, NY 11201The initial conference in
this matter, originally scheduled
for 11/2/05, is adjourned to
November 22 at 11:00 a.m.

So Ordered

s/KAM

Re: Sheriff Abdou v. Emmanuel

Docket Number: 05-CV-3946 (JG) (KAM)

dated 10/28/05

Dear Magistrate Matsumoto:

The above-referenced matter is scheduled for an initial conference at 10:00 a.m., on Wednesday, November 2, 2005. My office was retained to represent the defendants, Emmanuel & Marie Gurrieri. Counsel for the plaintiff stipulated to extend the time for defendants to answer the complaint, based upon our recent referral of the matter, to November 4, 2005. Jurisdictional defenses as to service of process have been waived. Since the defendants have not yet appeared in the matter, I respectfully request that the initial conference be adjourned in order to permit my office to serve an answer to the complaint.

I contacted the attorney for the plaintiff, Mark H. Bierman, Esq., and obtained his consent to this request for an adjournment. All counsel are available to appear before Your Honor on November 17, 2005 or November 22, 2005, or such other date thereafter as the court deems appropriate.

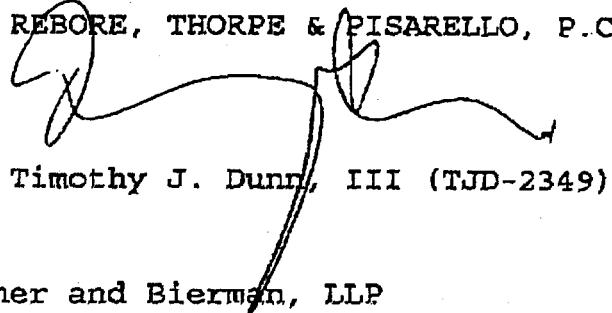
Finally, please note that I have advised your chambers that my office is currently getting up to speed on the ECF filing requirements. Due to technical difficulties and the need for some software and training, we will not be able to file anything electronically with the Court for the next few days. Therefore, this request can only be presented to your chambers via facsimile. Although we are currently unable to file electronically, I expect

this problem to be corrected within the next few business days.

Your consideration of the foregoing request is appreciated. Please also note that any response to this request can, for the Court's convenience, be electronically mailed to me at tdunn@rtplaw.net. While we are still adapting to the ECF format, I am concerned that we may not be able to get any regular Court notification via electronic means.

Very truly yours,

REBORE, THORPE & PISARELLO, P.C.


Timothy J. Dunn, III (TJD-2349)

TJD/gfs

CC: Beranbaum, Menken, Ben-Asher and Bierman, LLP

Attn: Mark H. Bierman, Esq.

VIA FACSIMILE ONLY: (212)509-8088

Defendant's
**MOVANT'S COUNSEL IS DIRECTED
TO SERVE A COPY OF THIS ORDER
ON ALL PARTIES UPON RECEIPT.**